



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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BB

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/822,186	03/20/97	RUEGER	D CRP-137

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1251 AVENUE OF THE AMERICAS
NEW YORK NY 10020-1104

HM22/0629

EXAMINER

ROMEQ, D

ART UNIT	PAPER NUMBER
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1647

26

DATE MAILED:

06/29/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
08/822,186

Applicant(s)

Rueger et al.

Examiner

David S. Romeo

Group Art Unit

1647

All participants (applicant, applicant's representative, PTO personnel):

(1) David S. Romeo

(3) _____

(2) Z. Ling Yi

(4) _____

Date of Interview 27 Jun 2000

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: _____

Identification of prior art discussed:

Sato (u21), Kuberasampath (aa), Amman (ba).

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Excluding synthetic polymers and demineralized bone from the device distinguishes over Kuberasampath's device.

Limiting the claims to an osteogenic protein which is not associated with other osteogenic proteins with which it is normally associated would distinguish over Sato. Improved handling properties (smooth, moldable putty or paste), as taught by Ammann, is motivation to combine Ammann and Kuberasampath. The examiner expressed concern regarding entry of potential after final amendments, especially if proposed amendments necessitated a new grounds of rejection. Purified OP-1 is known in the prior art.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

David Romeo
DAVID ROMEO
PATENT EXAMINER

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.